

SENATE BILL 2205

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 49,  
Chapter 6, Part 34 and Title 55, Chapter 50, Part  
5, relative to punishments for student misconduct.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-6-3401(g), is amended by deleting the subsection in its entirety and replacing it with the following language:

(g) Notwithstanding the foregoing or any other law to the contrary, a student determined to have brought to school or to be in unauthorized possession on school property of a "firearm", as defined in 18 U.S.C. § 921, shall be expelled for a period of not less than one (1) calendar year, except that the director may modify this expulsion on a case-by-case basis. In addition to the other provisions of this part, a student committing battery upon any teacher, principal, administrator, any other employee of an LEA, or school resource officer, unlawfully possessing any drug including any "controlled substance" as defined in §§ 39-17-403 through 39-17-415, or "legend drug" as defined by § 53-10-101, or who was determined by school officials to have made a threat, including a false report, to use a bomb, dynamite, any other deadly explosive or destructive device including chemical weapons on school property or at a school sponsored event, shall be expelled for a period of not less than one (1) calendar year, except that the director may modify this expulsion on a case-by-case basis. For purposes of this subsection, "expelled" means removed from the pupil's regular school program at the location where the violation occurred or removed from school attendance altogether, as determined by the school official. Nothing in this section shall

be construed to prohibit the assignment of such students to an alternative school. Disciplinary policies and procedures for all other student offenses, including terms of suspensions and expulsions, shall be determined by local board of education policy.

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 50, Part 5, is amended by adding the following new language as a new section:

§55-50-515.

(a) The trial judge of the court wherein a juvenile is convicted, or the judge of the juvenile court wherein a juvenile is adjudicated delinquent, for committing an offense requiring a mandatory calendar year suspension from school as mandated by §49-6-3401(g), may order the suspension of such juvenile's drivers license until such person reaches eighteen (18) years of age or up to a period of two (2) years from the date of the commission of the offense, whichever is later.

(b) Upon such order of suspension for such conviction or adjudication, the court shall require the surrender to it of all operator's licenses then held by the juvenile so convicted or adjudicated delinquent, and the court shall thereupon forward the same to the department together with a record of the conviction or adjudication, and may recommend the suspension of the operator's license of the person so convicted or adjudicated delinquent.

SECTION 3. This act shall take effect July 1, 2007, the public welfare requiring it.